

SIXTH DAY

(Thursday, January 23, 1969)

The Senate met at 10:15 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Kennard
Bridges	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harrington	Watson
Harris	Word
Hazlewood	

Absent—Excused

Bates	Wilson
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A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Bates was granted leave of absence for today on account of illness on motion of Senator Aikin.

Senator Wilson was granted leave of absence for today on account of important business on motion of Senator Mauzy.

Committee to Escort Governor Smith to the Joint Session

The President announced the appointment of the following as a committee to escort The Honorable Preston Smith, Governor of the State of Texas, pursuant to the provisions of H. C. R. No. 8: Senators Aikin, Blanchard, Berry, Christie and Creighton.

Message From the House

Hall of the House of Representatives
Austin, Texas,
January 23, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 3, Congratulating Colonel Frank Borman, Captain James Lovell, and Major William Anders and inviting them to address the Legislature in Joint Session.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Presentation of Former Senator Moffett

Senator Hightower by unanimous consent presented as a guest of the Senate today former Senator George Moffett of Chillicothe and he was granted privileges of the floor for the day.

Motion to Adjourn

On motion of Senator Hightower the Senate agreed to stand adjourned at the conclusion of the Joint Session until 11:00 o'clock a.m. Monday, January 27, 1969.

Joint Session

(To hear address of Governor Preston Smith)

The President of the Senate and the Senators present escorted by the Sergeant-at-Arms and the Secretary of the Senate proceeded to the Hall of the House of Representatives at 10:30 o'clock a.m. to hear the address of The Honorable Preston Smith, Governor of Texas, pursuant to the provisions of H. C. R. No. 8.

The Senators were announced and were admitted and escorted to seats prepared for them along the aisle.

The President, on invitation of the Speaker, occupied a seat on the Speaker's Platform.

The President called the Senate to order and announced a quorum of the Senate present.

The Honorable Gus Mutscher, Speaker of the House of Representatives, called the House to order, stated the purpose of the Joint Session and announced a quorum of the House present.

The Honorable Preston Smith, Gov-

ernor of the State of Texas, accompanied by Mrs. Smith, Mr. and Mrs. Preston Michael (Mickey) Smith and daughter, Kelly, and Mr. and Mrs. Conrad Schmid, was announced by the Doorkeeper of the House.

The Speaker of the House presented Miss Kelly Smith, granddaughter of Governor Smith, to the Joint Session.

The Governor's party was escorted to the Speaker's Rostrum by Senators Aikin, Blanchard, Berry, Christie and Creighton, on the part of the Senate, and Representatives Tarbox, Allen of Gregg, Slider, Hall, Longoria, Atwood, Burgess, Floyd, Pickens, Stewart, Cole and Semos, on the part of the House.

The Speaker, the Honorable Gus Mutscher, presented His Excellency, the Honorable Preston Smith, Governor of Texas, to the Joint Session.

Governor Smith then addressed the Joint Session as follows:

"Mr. Speaker of the House, Mr. President of the Senate, Members of the 61st Legislature, Ladies and Gentlemen:

"This scene is familiar, although my own role is new.

"On many previous occasions I have been among the listeners as a Governor delivered his first message to the Legislature. Thus, I know what intermingled feelings of anticipation . . . curiosity . . . concern . . . and skepticism you are experiencing at this time.

"Hopefully, I would like to think that there also might be, in your hearts, at least a small glow of charity.

"To each of you . . . my former colleagues, and to those of you who are also new on the job . . . I quickly offer to you my hand in a spirit of cooperation.

"I am fully aware of your importance to me—your importance to the state and to the federal system under which we operate. While the structure of government properly separates us, it need not divide us. Responsibility to the people of Texas must keep us together.

"To your able young presiding officers I propose and I pledge a true partnership . . . one in which our respective functions will be recognized but not emphasized . . . and one in

which our differences will be resolved by frank and full communication.

"I doubt if any other state in the Union has two legislative leaders with the ability, the energy, the knowledge and the dedication of Ben Barnes and Gus Mutscher.

"We are all lucky to have them.

"My message today will be more general than specific, although it will include a number of specific recommendations.

I might comment here that—while this occasion today did not come exactly as a surprise—it is mechanically difficult for an incoming governor to prepare a full-scale budget report within a few days of his inauguration. As Governor Connally pointed out last week, it is clearly proper for the new Governor to have this responsibility but there is no provision for staff services and research until he has actually taken office.

"I acknowledge, with gratitude, the helpful cooperation I have received on every hand since the General Election. This assistance has come from the Governor's Office, the Legislative Budget Board, the Legislative Council, the Comptroller and other State officials and—in the private sector—the Texas Research League.

"Without this help it would have been impossible to bridge the gap between election and inauguration.

"It would still be well, as the outgoing governor recommended, for the incoming governor to have the authority to establish an interim office financed from public funds rather than at his own expense.

"I agree with Governor Connally and join him in recommending this change in our existing budget laws for the benefit of our next governor. (While the change should be made at this session, I want to make it clear that I am not unduly eager to see it put into effect.)

"In drawing the broad outlines of a legislative program, we have the benefit of several valuable estimates and studies.

"The Comptroller's official and preliminary estimate of revenue, already submitted to you, showed gross General Revenue for the next biennium of about \$1.6 billion.

"Both Governor Connally's budget recommendations and those of the Legislative Budget Board track that forecast.

"But I must remind you that the es-

timate of \$1.6 billion is a gross amount, from which nearly half a billion dollars must be deducted to help finance the present Foundation School Program and to pay interest on Water Development bonds. Thus, only about \$1.2 billion is available for appropriation and certification, and part of that will be needed for increased costs of the Medicaid Program.

"Governor Connally told us last week that virtually all of the money in sight would be required, and I quote: '... to finance state programs at current levels, and to meet unavoidable increases in spending, such as our expanding enrollments in education.'

"He has also made it clear that his calculations do not cover such items as:

- Building construction and repair.
- Increases in teachers' salaries.
- Increases in State employee salaries.

Neither do those calculations cover:

- Accelerated implementation of the Texas Water Plan.
- Improvement of technical-vocational education.
- Expansion of health and medical programs, air and water pollution control, and higher education.

"Also, we find that there is no provision of funds necessary to end supplementation of certain state salaries, mainly in higher education. This is a step the Legislative Budget Board has recommended at a cost of over \$300,000 a year.

"Major expansion in spending for education has been recommended, as you know, by the Governor's Committee on Public School Education, and the Coordinating Board for the College and University System.

"Another expansive and expensive proposal is that of the Water Development Board for a master water plan eventually costing more than \$10 billion. As I shall emphasize in a moment, we must make a substantial start on this vital project without delay.

"You already have these special reports upon which requests for appropriations will be based. You also have, or will have, reports from a number of interim legislative committees, most of them calling for more money as well as for legislation.

"While withholding for my budget message any specific evaluation of these reports, I do stress these points about them:

—They are rich in analyses and criticisms of the subjects studied, as to what we are doing now and what we should be doing.

—They represent untold hours of hard work by dedicated people, in and out of the Legislature.

—They make thoughtful, imaginative and in most instances bold recommendations for improvement.

—They are, without exception, deserving of our careful consideration.

"The Connally Administration has been unquestionably, one of great and generally productive activity in the field of long-range planning.

"I am sure that no other six years in our history have been so fruitful in that sense. Some of the recommendations formulated during these years have already been put into effect. Much remains, however, to be considered by this and future legislatures.

"The best plans are of no avail unless and until they are accepted, implemented and financed. It falls to the 61st Legislature and the present administration to make decisions, establish priorities and—in the vernacular—get these shows on the road.

"I want to mention here another available source of information and program recommendation, and it is one I consider to be of major importance. I refer to the Texas Democratic Party platform adopted last September.

"You will recall that this document was unusual, as party platforms go—first, because it was written with the advice of several thousand Texas citizens; second, because it dealt in detail with most of the subjects and issues we face at this session; and, third, because it was adopted by the party's candidate for governor not only as a platform for the General Election campaign but also as the heart of his legislative program.

"The general approach and many of the specifics of my programs as your governor are to be found in that document. I have just re-read it, and I re-endorse it and I recommend it to you today.

"Rather than take up your valuable time with a detailed restatement of its major provisions, I have had excerpts prepared for your convenience. These excerpts, with a copy of this message and other pertinent material, will be sent to your offices today.

"Let me say a word to those mem-

bers of this Legislature who attended another convention the day the Democratic Platform was adopted.

"I do not present this material to you as a partisan political document. It actually contained only a little political 'propaganda' in the first place—and that has been eliminated in the excerpts.

"I have read the Texas Republican Platform. I think you will find the two quite similar. In fact, there was quite a bit of comment in the press to that effect.

"Whatever the source of one's information, I believe we can all agree that we must come to grips with such subjects as education, law enforcement, water conservation, intergovernmental relations, water and air pollution, mental health and mental retardation, traffic safety, liquor control, constitutional changes, public welfare needs and many others—and, in the showdown, find the revenue to do what we must for Texas.

"The question of revenue, available or procurable, so intertwines itself with so many issues that questions of priorities must be delayed to the budget message.

"The recommendations that follow either do not require appreciable funding, or they are considered to be of such importance that they must be attempted with cost as a secondary consideration.

TECHNICAL-VOCATIONAL EDUCATION

"Education at every level and of every kind demands and deserves our support. One of the areas where major improvements are needed and can be made at comparatively reasonable costs is that of occupational education in its various phases.

"Priorities in upgrading technical-vocational education to meet the needs of Texas youth for occupational training and those of Texas industry for trained personnel are suggested in the following recommendations.

1. I recommend legislation to restructure technical-vocational administration to provide better coordination between affected State agencies between the secondary and post-secondary educational systems, and between the program and the needs of business and industry.

2. I recommend appropriation of state funds well above the present

level (\$5.5 million), the exact amount to be determined from the level of funding required to put this type of education at par with other comparable programs.

3. I recommend the establishment of a State Advisory Council of Technical-Vocational education in a form to comply with federal requirements, with the maximum representation possible from industry and labor.

4. I recommend separate line appropriations to junior colleges on a cost-per-student-contact hour formula (instead of a lump sum to the Texas Education Agency.)

5. I recommend creation of a new State agency for vocational rehabilitation services, as requested by the State Board of Education which has been administering this program through the Texas Education Agency.

PUBLIC SCHOOLS

"The Governor's Committee report on public education is so inclusive and so controversial in some aspects that my recommendation at this time is to give it immediate further study, especially in the proper committees of the Legislature.

"I believe the minimum attendance figure for a school district has been set too high for practical purposes, at least for any hope of early agreement by the Legislature and the people.

"Voluntary consolidation of inadequate districts should be encouraged in all possible ways.

"I recommend particularly immediate scrutiny of facts, figures and recommendations brought in by the Governor's Committee concerning local financial support of schools.

"Teachers salaries must be increased. The recommendations and the Texas State Teachers Association should be given careful consideration, along with the prospective availability of funds and factual comparisons with national salary averages.

"A more specific recommendation will be made in the budget message.

"In view of higher base interest rates, the statutory limit of 5 percent on school bonds (as well as the present limitations on municipal and special district bonds) is inadequate to attract purchasers. Many badly needed projects will have to be abandoned or delayed while building costs continue to climb.

"I recommend that the ceiling on interest be raised to a level that will make these bonds marketable, not to exceed 6½ per cent. I submit this as an emergency recommendation.

"Such legislation, of course, would not preclude the setting of lower ceiling rates by local action.

MEDICAL AND DENTAL SCHOOLS

The Coordinating Board for Colleges and Universities placed high among its recommendations the immediate need for at least two new medical schools and one new dental school.

It also recommended making agreements with Baylor Medical and Baylor Dental Schools so they could expand their enrollments with State assistance. The idea of State aid for private institutions, while new in Texas, has merit when the cost and time for building new state institutions are considered.

"I recommend:

1. Creation of a new medical school at Houston.

2. I recommend creation of a new dental school in San Antonio.

3. I recommend creation of a new medical school to serve West Texas under the administrative control of and located at Texas Technological College in Lubbock which could be developed in partnership with medical centers in Amarillo, Midland-Odessa and Lubbock.

4. I recommend contracts with Baylor Medical at Houston and Baylor Dental at Dallas for the training of doctors and dentists in limited numbers at public expense.

TEXAS WATER PLAN

"This Legislature is already well aware of and generally informed about the broad, ambitious, flexible, expensive long-range program to bring Mississippi River Water to Texas and otherwise develop and conserve our surface and underground water resources.

"You are also aware of the well-documented estimates that unless this or some equally effective plan is adopted and initiated now, some sections of the State will be short of water within 10 years, and Texas will pass from a water surplus to a water shortage before the year 2000.

"This plan has met with favorable public reception, partly because it is

a tremendous achievement in itself, partly because of the looming water famine, and partly because it has enough built-in flexibility to permit adjustments to fit developments through the years.

"However, that possibility does not affect the clear, urgent need to start now on basic preliminary steps to set the Texas Water Plan in motion.

"I request your immediate and continuing attention to the formulation and passage of the following measures:

1. A constitutional amendment providing a plan for financing the state's share of costs in a joint local-state-federal undertaking known as the Texas Water System to provide for additional assistance to local water supply projects.

2. A constitutional amendment to eliminate the present termination date of 1982 for the Water Development Board's program of financial assistance; to authorize the Board to increase the Water Development Fund under such safeguards as the Legislature might deem wise, and otherwise to remove limitations and restrictions that would make it impossible for the Board to function as the plan requires.

3. A constitutional amendment to empower the Texas Water Development Board to participate with the Federal government in the design, construction, operation, maintenance and management of the Texas Water System. It should also allow the State to enter into contracts with various other agencies and to purchase water from out-of-state sources, and should provide other ways to carry out the multifold negotiations and arrangements necessary to put the System into operation.

"It might be feasible, and certainly desirable, to combine these changes into one amendment and substitute it for present Sections 49-c and 49-d, Article III, of the Constitution.

CONSTITUTIONAL REVISION

"At this point, I deem it appropriate to refer to the report of the Constitutional Revision Commission, which is in essence a proposed complete substitute for the present Constitution.

"This was a capable commission which worked hard and met often and submitted a somewhat condensed version with much surplusage eliminated and some obscure provisions

rewritten without changing the meaning.

"Additionally, however, the Commission did make a number of substantive changes—some of which would have to be called controversial.

"I said last summer the work of this Commission should not be prejudged, and I now say that you, as members, should make a study of the report and decide if you would like to submit it to the people.

"My personal opinion is that neither this nor any other complete rewriting of the Constitution—even one that eases over some potential trouble spots—would be likely to meet with majority approval.

"Because I have felt this way, and so expressed myself on a number of occasions, the impression has grown that I am against constitutional revision.

"This is not true.

"I have said time and again that our Constitution ought to be revised, the deadwood cut out, the turgid language cleared up and the obsolescent provisions modernized. But this—I have said—could only be accomplished politically by taking one or two articles at a time.

"I see another possibility as a starting step. That is the elimination from every article of language admittedly outdated and meaningless for whatever reason. Then the substantive revision, article by article, would be simpler. It would be necessary, ironically, to amend the Constitution first to permit multiple amendments.

"Some improvements could be made in the course of amending the Constitution by the present piecemeal approach, as in the possible handling of proposed water amendments already mentioned.

"I would be interested in and try to help on any reasonable approach to constitutional revision which had a reasonable chance to succeed.

"I reject any theory that our Constitution should be junked simply because it is old, or because it is long, or because it has to be amended from time to time.

"I ask the question: What is really wrong with submitting fundamental changes in the Constitution to public judgment?

"The present necessity for some more or less trivial amendments could be removed by the process I have suggested.

CONSTITUTIONAL AMENDMENTS

"There are several rather important proposals I would like for this Legislature to submit to the voters of Texas. In each instance there is a genuine need for a public expression, or there is need for a change of present policy.

1. I have already stated the urgency of giving the Water Development Board more leeway as it starts to implement the Texas Water Plan.

2. Last November the voters rejected a proposal to raise the \$60 million ceiling on State public welfare contributions. Perhaps the need for this change was not sufficiently stressed. Growing population, inflation, federal court decisions, new matching programs that require more State money—these are some of the factors over which the State government has little or no control. Meanwhile, needy Texans with no other resources are suffering.

"I recommend that this amendment be re-submitted, with the limitation removed, and that appropriations for old age assistance, dependent children and the needy blind be made a budgetary consideration for the Legislature to deal with.

3. Texas voters also turned down an amendment to increase the annual salaries of members of the Legislature.

"In spite of logical reasons for an increase (the latest proposal was for \$8,400 from \$4,800), various arguments are always advanced against it.

"One of the most troublesome is the 'conflict of interest' consideration. This is the contention that if salaries are to be raised appreciably, the non-official activities of legislators ought to be taken into consideration.

"A satisfactory answer to this contention, in my opinion, would increase the chances of passing a needed amendment.

I recommend that a constitutional amendment be submitted containing a simple, clear definition and prohibition of 'conflict of interest' and setting up an appointive, non-legislative member board to administer the provision and set or recommend legislative salary schedules.

4. The State Building Commission is a constitutional ex-officio board composed of the Governor, the Attorney General and the Chairman of the Board of Control. Because these offi-

cials have many other time-consuming duties, it is most difficult to arrange for full meetings of this important agency. There can be inconvenient and costly delays in making key decisions.

"I recommend that the Constitution (Art. 3, Sec. 51-b) be amended to reconstitute the State Building Commission as a lay board appointed by the Governor.

"While considering this request, the Legislature might also want to consider further amending this section in view of the State's progressive withdrawal from the ad valorem tax field which will shortly eliminate the constitutional building fund set up in this section.

5. The developing desire and determination of young people to have a stronger voice in public affairs is a sign of our times. The genuine concern of thoughtful people, young and old, has been mixed with emotional reaction over the 'youth rebellion.'

"The tendency now seems to be for sentiment to polarize among the young, with a loud and small minority preaching and causing discord and a great majority seeking constructive approaches.

"There is not much we can offer the latter group in the way of official encouragement, except perhaps give advice they do not want or pass restrictive laws against the minority which would solve nothing and gain neither group's approval.

"You may not know this, but the Texas Constitution lists under persons not eligible to vote idiots, lunatics, paupers, felons and persons under 21 years of age. That is in Section 1, Article 6.

"In these tenuous circumstances, and in the certain knowledge that there are many more builders than wreckers in the Texas youth community, I would like to see these young people removed from that category.

"Therefore, I recommend that you submit an amendment to this section providing that the Legislature may set by statute a minimum voting age lower than 21 and not lower than 18, if it desires to do so.

"This, of course, would not accomplish any change from the status quo without implementing legislation.

LAW ENFORCEMENT

"So much has been said during the last year about law enforcement that

a prolonged discussion now would be repetitious. I think we understand and agree that society must be responsive to legitimate complaints, and ready to correct injustices that exist and to avoid others.

We also agree, I think, that only an orderly society can protect the lives and the property of its members. Therefore, our laws must be enforced.

"They must be enforced in a restrained and evenhanded manner, but promptly and firmly and with the assurance there will be equally fair, firm and prompt treatment at the bar of justice.

"The excerpts you will receive from the party platform contain a number of specific suggestions for legislation and administration in this area. I commend them to you for study and passage.

"Good law enforcement calls for cooperation by the individual, the local government, the State and Federal authorities. However, at the State level we must accomplish at least these things no other level can do—at least not so well.

"We can:

1. Pass needed legislation.
2. Provide funds for training personnel.
3. Administer and distribute federal grants.
4. Coordinate and administer a sound training program.

"I recommend to your attention particularly the police certification program proposed by the Legislative Council, under which completion of a training program approved by the Texas Commission on Law Enforcement Officers and Education would earn 'Certified Peace Officer' rating.

CORRECTIONAL INSTITUTIONS

"The Texas Department of Corrections is recognized as one of the world's best run prison systems. This recognition is in favorable contrast to its 'one of the worst' reputation only 20 years ago.

"Prison morale has been improved and rehabilitation accelerated by a series of reforms, the most significant of which may well be the program to educate prisoners and give them practical vocational training they can use after release.

"An enlightened probation and pa-

role system has also stimulated improvements.

"I think we are ready to consider a further step in the rehabilitation process—one already being successfully administered in about one-half of the states and by the federal government since 1965.

"Under this program carefully screened and selected inmates would be accorded 'work-release' privileges. They would retain prisoner status, but work under security in the free world for standard wages in jobs for which no other qualified workers are available.

"Their earnings would be divided three ways: To reimburse the State for their upkeep in prison; to support their dependents and any remaining portions to be held in trust and paid to them upon release from prison.

"Such a work-release plan would have to be carefully written and carefully administered. There are many questions of policy, practice and public relations to be resolved, but they can be resolved and have been in more than 20 jurisdictions.

"I recommend that serious consideration be given to the establishment of such a work-release program for Texas. Further information on this subject will be made available to you in a later message.

TRAFFIC SAFETY AND CAR INSURANCE

"These are subjects of great concern to the automobile owners and drivers in Texas, and they are closely related. The soaring costs of automobile insurance have been laid to a number of causes, but substantially the insurance rates are a reflection of inflated costs of repairs, replacements and damages from traffic accidents.

"While there are more humanly important reasons for trying to cut down on deaths and injuries on our highways and streets, high insurance costs do affect every owner.

"The platform excerpts contain some comment on this matter, and I respectfully refer you to that section.

"It has been proved by long-term statistics that excessive use of alcohol contributes heavily to the traffic toll—and thus indirectly to driver costs.

"Another factor pointing to the need for better control of the drinking

driver is the national highway safety standard on this subject.

"Unless Texas has an acceptable statute on the books by the end of this year providing for chemical tests for DWI suspects, we will be liable to the loss of some \$25 million in federal-aid highway grants.

"The most acceptable type of law is the 'implied consent' law which sets the legal bounds of intoxication as determined by breath or blood tests.

"It requires drivers to take such tests when arrested on a traffic charge and reasonably suspected of being unduly under the influence of alcohol.

"I recommend the passage of a proper implied consent law as the most effective single thing we can do toward eliminating a deadly highway hazard and saving both lives and money.

"Also of utmost concern is the alarming increase in the number of young people arrested each year for liquor law violations. Last year, more than 14,000 young Texans were charged with liquor law violations, creating for themselves a police record that will follow them throughout their lives.

"I would like to see the Texas Liquor Control Board's educational program on teen-age drinking hazards upgraded to slow down this alarming trend.

POLLUTION CONTROL

"Whatever reasonable changes that, in the wisdom of the Legislature, are needed to strengthen our statutes on water and air pollution and the enforcement thereof will be favorably viewed by me.

"Attention also should be given to the growing problems of solid waste disposal.

INTERGOVERNMENTAL RELATIONS

"Continuation and improvement of presently favorable relations between the State government and the federal and local governments will be a primary objective of my administration.

"The Federal relationship will be discussed in some detail in the budget message.

"In the interest of closer working relationships among cities and counties, I recommend consideration of a bill that would authorize, but not require, these political subdivisions of

the State to contract with one another for the performance of desirable governmental functions.

OTHER SUGGESTIONS AND RECOMMENDATIONS

"In the interest of time I shall mention only briefly a number of subjects and areas in which I am interested and on which I think legislation should be considered. Failure to mention a subject will not necessarily indicate a lack of interest on my part.

"These recommendations include the following:

1. Enlargement of the Parks and Wildlife Commission from three members in order to obtain better geographical distribution and broader representation of the interests of all our citizens.

2. Implementation of recommendations to centralize 'Housekeeping' activities in the capitol complex and data processing to the point of greatest achievable efficiency and economy.

3. Continuation and indicated expansion in tourism, industrial, highway, recreational and agricultural development programs without important fundamental changes.

4. Expansion of air transport facilities as recommended in the platform.

5. Replacement of obsolete and dangerous buildings now being used by the Department of Mental Health and Mental Retardation.

6. Enactment of the 'compromise' bill to increase workmen's compensation benefits and consideration of a fair minimum wage requirement, as proposed in the last two State platforms.

7. Elimination to the extent possible of laws remaining in our statute books that unnecessarily or offensively reflect or discriminate against any citizen because of his birth, background or creed. Many of these old statutes already have been superseded by court decisions.

8. Further exploration of the question of women's legal rights and the passage of any legislation needed to bring Texas into line with modern concepts and guidelines.

9. Consideration of the proposal of the Water Quality Board and other State, private and legislative sources for an in-depth study of Gulf Coast conditions, resources and potentials.

"I would like to see this survey encompass not only the land and waters

along the shore line but the so-called 'tidelands' out to the 10½ mile boundary.

"I have suggested a number of things we are going to have to spend money for—and there will be more of this in the budget message.

"One more word needs to be said. We have no end of opportunities to spend. The stress is always on voting the funds for good cause. It is more pleasant to vote for spending than to vote against it.

"Two years ago, when I was inaugurated at Lieutenant Governor, I said this:

'... It would be gratifying to leave here knowing we had met every worthwhile request with liberal appropriations.

"But this is not possible.'

Then I reminded myself and the legislature, that the country was at war, and that new taxes were being called for to finance that war. And I added:

'... We are already paying the barren taxes of inflation. And we know there is a limit, somewhere, to the taxpayer's patience and ability to pay....'

"That one little word we should mention today—and again and again—is the old-fashioned word "economy."

"While it may sound strange to speak of 'spending' and 'economy' in the same breath—this is what we must do. We must spend—but only within the bounds of true economy.

"True economy means financing necessary programs adequately but not bountifully—and certainly not wastefully.

"This will be our hardest decision: To determine and follow the course of true economy—not that of false economy or of reckless spending.

"I have now marked some of the subjects with which we need to concern ourselves in the next 130 days.

"Price tags and priorities remain to be decided.

"I will assume my responsibility on both scores—but I need your help, and I am asking for it now.

"Generally, I will be more concerned with the intent and result of legislation than in the detail of it. This reflects no lack of interest in your day-to-day problems. I hope you will keep us informed about them. And I assure you we will help with them all we can.

"The problems we must solve will not wait on apathy or bickering. They will not wait for selfish interests to be served.

"In this fast-traveling era of challenge and change, today will not wait for tomorrow. We won't have time for a second chance.

"Texans are looking to us for the leadership they have a right to expect. They expect us to make decisions, even if they are difficult.

"I believe we will have the wisdom, the will, the integrity and—with God's help—the courage to decide."

At the conclusion of the address by Governor Smith, Speaker Mutscher presented Mrs. Preston (Ima) Smith, The First Lady of Texas, and Mr. and Mrs. Preston Michael (Mickey) Smith and Mr. and Mrs. Conrad Schmid, members of Governor Smith's family, to the Joint Session.

Memorial Resolutions

S. R. No. 35—By Senator Mauzy, Memorial resolution for L. Carroll Moseley.

Congratulatory Resolutions

S. R. No. 36—By Senator Watson, Extending congratulations to James Brazelton Walker.

S. R. 37—By Senator Hall, Extending appreciation to Neely Griggs Landrum in his leadership and service to his community. (Amended).

Adjournment

The President announced the purpose of the Joint Session having been concluded and declared the Senate at 11:27 o'clock a.m. adjourned until 11:00 o'clock a.m. Monday, January 27, 1969, in accordance with a motion previously adopted in the Senate.

SEVENTH DAY

(Monday, January 27, 1969)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Bridges
Bates	Brooks
Bernal	Christie
Berry	Cole
Blanchard	Connally

Creighton	McKool
Grover	Moore
Hall	Patman
Harrington	Ratliff
Harris	Schwartz
Hazlewood	Snelson
Herring	Strong
Hightower	Watson
Jordan	Wilson
Kennard	Word
Mauzy	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 23, 1969 was dispensed with and the Journal was approved.

Senate Bill 1 on First Reading

By unanimous consent, the following bill was introduced, read first time and referred to the Committee indicated:

By Senators Aikin and Hazlewood:

S. B. 1, A bill to be entitled: An Act making supplemental appropriations; reappropriating unexpended balances and authorizing the transfer of funds; and declaring an emergency.

To the Committee on Assignment.

Presentation of Guest

Senator Patman by unanimous consent presented as a guest of the Senate today Mrs. Katherine Townsend of Victoria and requested that she be granted privileges of the floor for the day.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
January 23, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 9, Expressing appreciation to Judge Jake Tirey, etc.

S. C. R. No. 10, In memory of Mrs. Jordena Starkey Duncan.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives